ANNO QUINQUAGESIMO

GEORGII III. REGIS.

Cap. 98.

An Act for continuing and amending an Act of the Twenty-eighth Year of His present Majesty, for repairing the Roads from *Staplebar* to *Lingen*, and from thence to *Willey's Oak*, and from *Kingsham* to the *Kington* and *Radnor* Turnpike Roads, and from *Lingen* aforesaid to *Walford*, in the County of *Hereford*.

[18th *May* 1810.]

WHEREAS by an Act made in the Twenty-eighth Year of the Reign of His present Majesty, intituled, *An Act for amending, widening, and keeping in Repair the Roads leading from* Staplebar *to* Lingen, *and from thence by* Boresford *to* Willey's Oak, *and from* Kingsham *to the* Kington *and* Radnor *Turnpike Roads near the* Rod; *and from* Lingen *aforesaid to* Walford, *in the County of* Hereford, several Tolls and Powers were granted to Trustees therein named, for the Purpose of repairing the said several Roads, which said Act was to have Continuance from the Day of the passing thereof for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament: And whereas the Trustees for executing the said Act have borrowed considerable Sums of Money on the Credit of the Tolls authorized to be collected on the said Roads, which Money or the greater Part thereof still remains due, and the same cannot be repaid, nor can the same Roads be effectually amended and kept in good Repair, unless the said Act be continued for a further Term, and it is expedient that some further and other Tolls, Powers and Provisions should be granted for those Purposes: May it therefore please Your Majesty, That it may be enacted; and be it enacted by the King's most Excellent Majesty, by

28 G. 3.

by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act passed in the Twenty-eighth Year of the Reign of His present Majesty, and all and every the Powers, Authorities, Tolls, Penalties, Forfeitures, Exemptions, Clauses, Provisions, Matters and Things therein contained and now in Force (except so far as the same are hereby enlarged, altered or repealed), and also the Powers and Provisions in this Act contained shall be and continue in full Force and Effect for amending, widening, improving and keeping in Repair the said Roads leading from *Staplebar* to *Lingen*; and from thence by *Boresford* to *Willey's Oak*; and from *Kingsham* to the *Kington* and *Radnor* Turnpike Roads near to a Place called *Weobley's Ash*, in the said County of *Hereford*, during the Term hereinafter mentioned, which said Term hereby granted shall be and is hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing, upon the Credit of the same Act, and of such Sum or Sums of Money as shall be borrowed for the Purposes of this Act, and of all Interest due and to grow due for the same respectively.

Former Act continued.

Trustees.

II. And be it further enacted, That *Somerset Davies*, *Jeremiah Davies*, *Richard Edwards*, *Thomas Galliers*, *William Greenly*, *Howard Gronouse*, *James King*, *Thomas King*, *Richard Payn Knight*, *John Marston*, *John Meredith*, *Edward Morgan*, *John Muscott*, *John Piggott*, *William Stephens*, *Francis Stephens*, *Benjamin Thomas* Doctor of Medicine, *Thomas Trumper*, *Robert Whitcombe*, *Richard Whitcombe*, *John Woodhouse* of Byton, *William Hanbury*, *Edward Rogers*, *Charles Rogers*, *John Harley*, *John Grubb*, *John Wall*, *Edward Hamley*, *John Bissell*, *John Rogers*, *James Landon*, *John Graham*, *James Davies*, *James Thomas Allen*, *George Crawford Ricketts*, *Edward Jenkins*, *Thomas Andrew Knight*, *John Cheese*, *John Garbett Walsham*, *John Galliers*, *Evan Lewis*, *James Dunne*, *John Browne*, *John Fletcher* Junior, *Peter Stephens*, *John Davies*, *Thomas Harley Rodney*, *Thomas Frankland Lewis*, *James Archibald*, *John Powell*, and *William Morris*, shall be and they are hereby appointed Trustees to put the said recited Act and this Act into Execution; and in case any of the Trustees hereby appointed shall die, or by Writing under their respective Hands decline or refuse to act in the Execution of the Trusts hereby reposed in the said Trustees, then some other fit and proper Person shall be elected and appointed a Trustee in the Place and Stead of every Trustee, so dying, refusing or declining to act as aforesaid, in the Manner provided or mentioned by the said recited Act.

Tolls to be taken in lieu of those former Act.

III. And it further enacted, That from and after the Twenty-fourth Day of *June* One thousand Eight hundred and Ten, the several Tolls and Duties granted and made payable by the said recited Act shall cease and be no longer paid, and that in lieu thereof there shall be demanded, received and taken from thenceforth, during the Continuance of this Act, the several Tolls and Duties hereinafter mentioned; (that is to say)

For every Coach, Chariot, Landau, Berlin, Chaise, Calash, or Hearse, or other such four-wheeled Carriage, drawn by Four or more Horses, Mares, Geldings, or Mules, the Sum of One Shilling and Sixpence, and for every such Carriage drawn by Two Horses, Mares, Geldings, or Mules, the Sum of Nine-pence, and for every Chair or other such two-

two-wheeled Carriage drawn by Two Horſes, Mares, Geldings, or Mules, the Sum of Eight-pence, and drawn by One Horſe, Mare, Gelding, or Mule, the Sum of Sixpence:

For every Waggon, Wain or other ſuch four-wheeled Carriage (except Carriages having the Sole or Bottom of all the Fellies of all the Wheels of the Breadth or Gauge of Six Inches or more, and ſo flat or level as not to deviate more than Half an Inch from a flat Surface, and having the interior Diameter of each Wheel not deviating from the exterior Diameter thereof more than One-ſixth Part of the Breadth of the Sole or Bottom of the Felly), drawn by Five Horſes, Oxen or other Beaſts of Draught, the Sum of Two Shillings and Sixpence; and drawn by Four Horſes, Oxen or other Beaſts of Draught, the Sum of Two Shillings; and drawn by Three Horſes, Oxen or other Beaſts of Draught, the Sum of One Shilling and Sixpence; and drawn by Two Horſes, or other Beaſts of Draught, the Sum of One Shilling; and for every Cart or other ſuch two-wheeled Carriage (except Carriages having the Sole or Bottom of all the Fellies of all the Wheels thereof of the Breadth or Gauge of Six Inches or more, and ſo flat or level as not to deviate more than Half an Inch from a flat Surface, and having the interior Diameter of each Wheel not deviating from the exterior Diameter thereof more than One-ſixth Part of the Breadth of the Sole or Bottom of the Felly), drawn by Four Horſes, Oxen or other Beaſts of Draught, the Sum of Two Shillings; and drawn by Three Horſes, Oxen or other Beaſts of Draught, the Sum of One Shilling and Sixpence; and drawn by Two Horſes, Oxen or other Beaſts of Draught, the Sum of One Shilling; and drawn by One Horſe, Ox or other Beaſt of Draught, the Sum of Sixpence:

For every Waggon, Wain, Cart or other Carriage having the Sole or Bottom of all the Fellies of all the Wheels thereof of the Breadth or Gauge of Six Inches or more, and ſo flat or level as not to deviate more than Half an Inch from a flat Surface, and having the interior Diameter of each Wheel not deviating from the exterior Diameter thereof more than One-ſixth Part of the Breadth of the Sole or Bottom of the Felly, a Toll or Sum of Money equal to One-half of the Toll or Sum of Money herein before impoſed, or authoriſed to be taken for the like Carriages with Wheels otherwiſe conſtructed:

For every Horſe, Mare, Gelding, Mule, or Aſs laden or unladen and not drawing, the Sum of One-penny Halfpenny:

For every Drove of Oxen, Cows or Neat Cattle, the Sum of One Shilling per Score, and in that Proportion for any greater or leſs Number; and for every Drove of Calves, Hogs, Sheep or Lambs, the Sum of Sixpence per Score, and in that Proportion for any greater or leſs Number.

Which ſaid Tolls and Duties in and by this Act granted and made payable as aforeſaid, ſhall be and are hereby veſted in the Truſtees for the Time being, for carrying the ſaid recited Act and this Act into Execution, and ſhall be received and taken at the ſeveral Toll Bars erected or to be erected upon the ſaid Roads, in ſuch Parts and Proportions, and ſhall be paid, levied, applied, diſpoſed of, and aſſigned for ſuch Uſes and Purpoſes, and in ſuch Manner as the Tolls and Duties granted by the ſaid recited Act are thereby authorized and directed to be received, paid, levied,

vied, applied, disposed of, and assigned, except as by this Act is otherwise directed.

Increase of Tolls during Winter upon narrow Wheels.

IV. And whereas great Damage is frequently done to the said Roads in the Winter Season by Waggons, Wains, Carts and other Carriages using narrow Wheels; be it therefore further enacted, That all Horses and other Cattle drawing Waggons, Wains, Carts or other Carriages, (except such Waggons, Wains, Carts or other Carriages as have the Fellies of all the Wheels thereof, of the Breadth or Gauge of Nine Inches, or such as have the Fellies of the Breadth or Gauge of Six Inches, and either perfectly flat or level, or so flat as not to deviate more than Half an Inch from a flat Surface, and having the interior Diameter of each Wheel not deviating from the exterior Diameter thereof more than One-sixth Part of the Breadth of the Sole or Bottom of the Felly,) shall between the First Day of *November* and the First Day of *April* in every Year, pay double the Tolls or Duties authorized to be taken by virtue of this Act for Horses or other Cattle drawing Waggons, Wains, Carts or other Carriages; any Thing in this or the said recited Act contained to the contrary notwithstanding.

Trustees may lessen the Tolls and re-advance the same.

V. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Trustees for the Time being, or any Seven or more of them, at any public Meeting holden for the Execution of this Act, and they are hereby authorized and required from Time to Time whenever they shall deem it expedient, to lessen and reduce the Tolls and Duties hereby granted and made payable, and again to advance the same, so as every such Reduction be made with the Consent of the Person or Persons entitled to Two-third Parts of the Money then due on Security of the said Tolls, and so as the same do not at any Time exceed the Tolls and Duties hereby granted.

Exemptions from Tolls.

VI. And be it further enacted, That all and every Exemption or Exemptions from the several Tolls and Duties granted and made payable by the said recited Act shall cease and be no longer allowed, and that in lieu thereof the several Exemptions from Tolls hereinafter mentioned shall be allowed; that is to say, That no Tolls shall be demanded or taken for any Horse or Carriage passing through any of the Turnpikes or Toll Gates erected or to be erected upon or on the Sides of the said Roads, carrying or conveying Stone, Bricks, Lime, Timber, Wood, Heath, Chalk, Gravel, or other Materials to be used on or about the said Roads, or for the repairing any Highways in or near the Parishes, Townships, Districts, or Places which are liable to perform Statute Duty upon any Part of the said Roads, or returning empty when so employed, or carrying or conveying Hay, Corn in the Straw, or other Produce of the Lands not sold or disposed of, nor any Ploughs, Harrows, or other Implements of Husbandry to be used in the Cultivation of such Lands, or any Lime or Manure to be used or laid upon Lands, or returning empty when so employed; nor shall any Toll be paid by any Rector, Vicar or Curate going to officiate or returning from officiating at any Church, Chapel or other Place of religious Worship, or when visiting his sick Parishioners, or upon any other his parochial or ministerial Duty; or by any other Person or Persons residing in the said Parishes, Townships, Districts or Places, who shall pass through the said Turnpikes or Toll Gates to or from Church, Chapel,

Chapel or other Place of religious Worſhip, or who ſhall attend the Funeral of any Perſon or Perſons who ſhall die and be buried in any of the ſaid Pariſhes, Townſhips, Diſtricts or Places; nor for any Horſes, Mares, Geldings, Mules, Aſſes, or Cattle going to or returning from Work in cultivating the Lands within the ſame or any of them; nor for any Horſes, Mares, Geldings, Mules, Aſſes, Cattle, Sheep, Lambs, Goats, or Hogs going to or returning from Paſture on the Commons or other grazing Grounds or Watering Places, or Blackſmith's Shops to be ſhoed or having been ſhoed; nor for any Horſe or other Beaſt of Draught or Carriage, employed in carrying or conveying any Furze, Peats, Turf, or Heathe for Fuel, or returning empty having been ſo employed; nor for any Horſes or Carriages of whatſoever Deſcription employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching or guarding the ſame, or in returning back from conveying the ſame; or for the Horſes of Soldiers on the March or on Duty, or Carriages or Horſes, or other Beaſts employed in carrying the Arms or Baggage of ſuch Soldiers, or for any Horſe, Mare or Gelding furniſhed by or for any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for and on the Days of Exerciſe, provided ſuch Perſons are in the Uniform of their reſpective Corps, and have their Arms, Furniture and Accoutrements according to the Regulations provided for ſuch Corps reſpectively, at the Time of claiming ſuch Exemption (nor for any Waggon, Wain, Cart or other Carriage whatſoever, or the Horſe or Horſes, or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack or Commiſſariat or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; or for any Carriage Horſe or other Beaſt employed in the Conveyance of Vagrants travelling with legal Paſſes, or travelling with Vagrants ſent by legal Paſſes, nor for any Horſe or Carriage going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the County of *Hereford*, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin and be concluded; and if any Perſon ſhall claim and take the Benefit of any of the Exemptions aforeſaid not being entitled thereto, or ſhall make uſe of any Fraud whatſoever whereby the Payment of the ſaid Tolls or any Part thereof ſhall be evaded, every ſuch Perſon for every ſuch Offence ſhall forfeit and pay a Sum not exceeding Five Pounds.

Carriages employed in His Majeſty's Service not to be ſubject to Regulations for Overweight.

VII. And be it further enacted, That no Perſon owning or driving or cauſing to be driven any Waggon, Wain, Cart or other Carriage provided for the Service of His Majeſty's Forces, or conveying any Ordnance, Barrack or Commiſſariat or other public Stores of or belonging to His Majeſty or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight; nor ſhall any Waggon, Wain, Cart or other Carriage be ſtopped or detained by reaſon of any Weight in any ſuch Waggon, Wain, Cart or other Carriage, or of being drawn by any Number of Horſes or Oxen, but it ſhall be lawful for any Owner or Driver of any ſuch Waggon, Wain, Cart or other Carriage to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart or other Carriage; any Thing in any Act or Acts of Parliament relating to High-

ways or Turnpike Roads or in this Act contained to the contrary notwithstanding.

Regulations as to performance of Statute Duty.

VIII. And be it further enacted, That so much of the said recited Act as relates to the Performance of Statute Labour on the said Roads shall be and the same is hereby repealed, and that all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the Roads comprized in the said recited Act or any Part thereof, shall still remain liable thereto in like Manner as heretofore, and it shall be lawful for any Two or more Justices of the Peace within their respective Jurisdictions, and they are hereby required and empowered upon Application made to them by the said Trustees or any Five or more of them, or by their Treasurer, Clerk or Surveyor by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes or Places in which the said Roads lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her or them paid to the said Trustees or to their Treasurer or Treasurers, and in order thereunto it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways of every such Parish or Place to bring in Lists before such Justices, at some Place to be expressed in such Summons, within Ten Days after the serving of such Summons, in the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid, which Lists or Names shall be made in such Manner and under such Regulations and Restrictions as are or may be directed by any Law or Statute in force for the Repairs of the Public Highways, and out of such Lists the said Justices shall and may allot, appoint and order such and so many of the Persons who shall appear subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Roads as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay-time or Harvest) and on such Parts of the said Roads as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct and appoint, and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper to the said Trustees or their Treasurer, at such Time or Times as the Justices shall direct, and in default of Payment thereof the same shall and may be recovered by Distress and sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her or them, at his, her or their usual Place or Places of Abode for that Purpose, by any Surveyor to the said Trustees, shall for every Day of his, her or their Default,

or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her or them, be ſubject and liable to ſuch Pains, Penalties and Forfeitures as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in Force for the Repair of the public Highways; and if any Perſon who ſhall come or be ſent to work as a Labourer, or ſhall be ſent with any Team or Draught to work on the ſaid Roads, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and diſmiſs the Perſon who ſhall be found idle or negligent as aforeſaid; and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Roads; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Roads; and in caſe the Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes or Places ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly and wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Pounds.

Application of Compenſation when amounting to 200l.

IX. And be it further enacted, That if any Money ſhall be agreed or aſſeſſed to be paid for any Lands, Tenements or Hereditaments purchaſed, taken or uſed by virtue of the ſaid recited Act or this Act, which ſhall belong to any Body Politick, Corporate or Collegiate, Corporation Aggregate or Sole, Feoffees in Truſt, Guardians, Committees, Truſtees, Femes Covert, or other incapacitated Perſon or Perſons, ſuch Money ſhall, if the ſame amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Truſtees for executing this Act, to the Intent that ſuch Money ſhall be paid under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rates and Profits of the ſaid Lands, Tenements or Hereditaments, in the Purchaſe of the Land Tax or the Diſcharge of any Debt or Debts, or ſuch other Incumbrance or Part thereof as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements or Hereditaments, or affecting other Lands, Tenements or Hereditaments, ſtanding ſettled to the ſame, or the like Uſes, Intents or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Meſſuages, Lands, Tenements or Hereditaments, which ſhall be conveyed and ſettled to, for and upon ſuch and the like Uſes, Truſts, Intents and Purpoſes, and in the ſame Manner as the Hereditaments which ſhall be ſo purchaſed, taken or uſed as aforeſaid ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting, undetermined and capable of taking Effect; and in the mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall by Order of the ſaid Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General in his Name, in the Purchaſe of Three *per Centum* Conſolidated, or Three *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Bank

Annuities

Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Compensation is less than 200l. and exceed 20l.

X. Provided always and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands, Tenements or Hereditaments purchased, taken or used for the Purposes aforesaid, and belonging to any Body Politic or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall exceed the Sum of Twenty Pounds, then and in all such Cases, the same shall, at the Option of the Person or Persons for the Time being, entitled to the Rents and Profits of the Hereditaments so purchased, taken or used, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed, or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Trustees for executing this Act, (such Nomination and Approbation to be signified in Writing, under the Hands of the nominating and approving Parties,) in order that such Principal Money and the Dividends arising thereon may be applied in any Manner hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application when the Money is less than 20l.

XI. Provided also, and be it further enacted, That when such Money so agreed or assessed to be paid as herein before-mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken or used, for the Purposes of the said recited Act or this Act, in such Manner as the said Trustees, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles,

XII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded or assessed for any Lands, Tenements or Hereditaments, to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or any Five or more of them; or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded or assessed as aforesaid, cannot be found, or if the Person or Persons entitled to such Lands, Tenements or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees, to order the Sum

or

or Sums of Money so awarded or assessed as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements or Hereditaments [*describing them*] subject to the Order, Controul and Disposition of the said Court of Chancery; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Publick Funds, and to order Distribution thereof or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Persons in possession shall be deemed well entitled.

XIII. Provided always, and be it further enacted, That where any Question shall arise, touching the Title of any Person or Persons to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements or Hereditaments, or of any Estate, Right or Interest in any Lands, Tenements or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in possession of such Lands, Tenements and Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to be lawfully entitled to such Lands, Tenements and Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements or Hereditaments, or to some Estate or Interest therein.

The Court may order reasonable Expences of Purchases to be paid by Trustees.

XIV. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Lands, Tenements or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order to

be paid by the said Trustees, who shall from Time to Time pay such Sums of Money, for such Purposes as the said Court shall direct.

XV. And be it further enacted, That if any Lessee of the Tolls to be demanded and taken by virtue of this Act, shall refuse to deliver up Possession of any Turnpike Gate or Tollhouse erected, or to be erected upon or by the Side of the said Roads, after the Expiration of his Term or Lease, it shall be lawful for any Justice of the Peace for the said County of *Hereford*, to remove such Lessee from the Possession of such Turnpike Gate and Tollhouse, in such Manner as by Law is provided in the Cases of Toll-gatherers or Collectors of Tolls holding over Possession after being discharged from their Offices.

Expences of the Act.

XVI. And be it further enacted, That the Expences of obtaining and passing this Act, together with legal Interest for Money advanced by any Person or Persons for that Purpose, shall be paid out of the Money already raised by virtue of the said recited Act, or out of the first Money to be raised by virtue of this Act.

Public Act.

XVII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

Commencement and Continuance of the Act.

XVIII. And be it further enacted, That this Act shall commence upon the said Twenty-fourth Day of *June* One thousand eight hundred and ten, and shall continue in Force for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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